

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ANTHONY M. HOEPF,

Plaintiff(s)

vs.

PEDRO OBREGON, M.D.

Defendant(s)

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Case Number: 1:05cv200

District Judge Susan J. Dlott

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Timothy S. Black. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on January 24, 2007 Report and Recommendations (Doc. 51). The Plaintiff did not file any formal objections to the Report and Recommendation by the deadline date of February 7, 2007, but filed a Motion for a New Trial on February 5, 2007 (Doc. 52).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendations should be adopted.

Accordingly, it is ORDERED that Defendant's unopposed Motion for Summary Judgment (Doc. 45) is GRANTED, all other pending motions are DENIED as Moot and that this case is CLOSED.

It is further ORDERED that the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an

appeal of the Court's judgment would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott
Susan J. Dlott
United States District Judge